

UNITED STATES DISTRICT COURT  
for the  
Central District of California

GIDEON AKANDE, derivatively on behalf of  
XPONENTIAL FITNESS INC., )  
Plaintiff(s) )  
v. )  
ANTHONY GEISLER, see attached )  
Defendant(s) )  
Civil Action No. 11-00000

## **SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)* ANTHONY GEISLER, JOHN MELOUN, JAIR CLARKE, MARK GRABOWSKI, CHELSEA A. GRAYSON, and BRENDA MORR, Defendants, and Xponential Fitness Inc., Nominal Defendant.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Robert C. Moest, SBN 62166, Of Counsel to  
THE BROWN LAW FIRM, P.C.  
2530 Wilshire Boulevard, Second Floor  
Santa Monica, California 90403  
Telephone: (310) 915-6628

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint.

CLERK OF COURT

Date:

*Signature of Clerk or Deputy Clerk*

1 Robert C. Moest, Of Counsel, SBN 62166  
2 **THE BROWN LAW FIRM, P.C.**  
3 2530 Wilshire Boulevard, Second Floor  
4 Santa Monica, California 90403  
5 Telephone: (310) 915-6628  
6 Facsimile: (310) 915-9897  
7 Email: RMoest@aol.com

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*Counsel for Plaintiff*

[Additional Counsel on Signature Page]

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

GIDEON AKANDE, derivatively on  
behalf of XPONENTIAL FITNESS INC.,

Plaintiff,

v.

ANTHONY GEISLER, JOHN  
MELOUN, JAIR CLARKE, MARK  
GRABOWSKI, CHELSEA A.  
GRAYSON, and BRENDA MORRIS,

Defendants,

and

XPONENTIAL FITNESS INC.,

Nominal Defendant.

Case No.:

**DEMAND FOR JURY TRIAL**

**VERIFIED SHAREHOLDER  
DERIVATIVE COMPLAINT**

**INTRODUCTION**

Plaintiff Gideon Akande (“Plaintiff”), by Plaintiff’s undersigned attorneys,

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_

was received by me on *(date)* \_\_\_\_\_ .

I personally served the summons on the individual at *(place)* \_\_\_\_\_

on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_

, a person of suitable age and discretion who resides there,

on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_

, who is

designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_

on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature*

*Printed name and title*

*Server's address*

Additional information regarding attempted service, etc: